IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.342 OF 2006

IN

NOTICE OF MOTION NO.1675 OF 2006

IN

S.C.SUIT NO.3723 OF 2003

WITH

CIVIL APPLICATION NO.428 OF 2006

Rajindersingh Bhatia & Ors. ...Appellants

Versus

Mukesh Babulal Patel & Anr. ...Respondents

.....

Mr.Dinesh C.Shah for Appellants.

Mr.A.R.Patil, A.G.P. for Respondent No.2.

.....

CORAM: A.M.KHANWILKAR, J.

JUNE 7, 2006.

P.C.

1. The order which is impugned in this Appeal as passed by the Trial Court is merely adjourning the Notice of Motion to 20th June 2006 for hearing.

I see no propriety in entertaining the Appeal against such order. The grievance of the Appellants that great prejudice is caused to them can be no basis to entertain this Appeal against order which merely adjourns the hearing of the Notice of Motion.

2. In the circumstances, this Appeal is disposed of with observation that in the event, the Trial Court is not in a position to finally dispose of the Motion on the adjourned date i.e. 20th June 2006 finally, it may consider prayer for ad-interim relief, if pressed by the Appellants before it and pass necessary orders on that relief as may be advised.

3. Notice of Motion in any case be finally disposed of by end of July 2006.

A.M.KHANWILKAR, J.